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7
8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF WASHINGTON**

10 In re:

) No. 18-03197-FPC11

11 **GIGA WATT INC, a Washington**
12 **corporation,**

) **CHAPTER 11**

13 Debtor.

) The Honorable Frederick P. Corbit

14 **OBJECTION TO CHAPTER 11**
15 **TRUSTEE'S EX PARTE MOTION**
16 **FOR RULE 2004 ORDER RE: PUD**

17 Public Utility District No. 1 of Douglas County, Washington (the "PUD"),
18 through its counsel, Kathryn R. McKinley and Paine Hamblen LLP, objects to the
19 Chapter 11 Trustee's *Ex Parte* Motion for Rule 2004 Order directed to the PUD
20 [Dkt. No. 658] to the extent such Motion exceeds the scope specified in the Court's
21 Order entered June 17, 2020 (Order Authorizing Chapter 11 Trustee to Retain
22 Beveridge & Diamond P.C. as Special Counsel [Dkt. No. 623]).
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25 The Court's June 17, 2020 Order specified that the scope of the discovery
26 authorized was "limited to claims alleged in the Motion of the Committee of

27 OBJECTION TO CHAPTER 11 TRUSTEE'S *EX PARTE*
28 MOTION FOR RULE 2004 ORDER RE: PUD - 1

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1 Unsecured Creditors for Authorization to File Adversary Proceeding Against
2 Douglas County PUD [Dkt. 533].” The Motion of the Committee was specifically
3
4 targeted to the termination of the Interconnection and Services Agreement between
5 the PUD and Giga Watt for Giga Watt’s Pangborn site. Despite this limitation, the
6 Chapter 11 Trustee has requested production of documents related to Giga Watt’s
7
8 TNT site. (RFP No. 19, page 13 [Dkt No. 658]). The documents requested are
9 those related to a January 7, 2019 letter from the PUD to Giga Watt regarding the
10
11 TNT site and are not relevant to the termination of the Pangborn Agreement which
12 was initiated by letter on October 12, 2018. This subsequent event has no bearing
13 on the termination of the Pangborn Agreement and exceeds the authorized scope of
14
15 discovery.

16 The PUD respectfully requests that the Court limit the Chapter 11 Trustee’s
17 Rule 2004 requests for production in accordance with the Court’s Order of June
18
19 17, 2020, and strike Request for Production No. 19. The PUD reserves the right to
20 make further objections to the Chapter 11 Trustee’s Rule 2004 production requests
21 in the PUD’s responses.

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27 OBJECTION TO CHAPTER 11 TRUSTEE’S *EX PARTE*
28 MOTION FOR RULE 2004 ORDER RE: PUD - 2

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1 DATED this 6th day of August, 2020.

2 PAINE HAMBLER LLP

3 /s/ Kathryn R. McKinley

4 Kathryn R McKinley, WSBA #25105

5 *Attorneys for the Public Utility District No.*
6 *1 of Douglas County, Washington*

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27 OBJECTION TO CHAPTER 11 TRUSTEE'S *EX PARTE*
28 MOTION FOR RULE 2004 ORDER RE: PUD - 3

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